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January 26, 2016

BY HAND DELIVERY AND ECF

Honorable Richard M. Berman
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 17B
New York, New York 10007

MEMO ENDORSED
p. 2

Re: *Securities and Exchange Commission v. Shapiro, et al.*
Case No.: 1:15-CV-07045 (RMB)

Dear Judge Berman:

We are counsel for Defendant Tyler Peters and write on behalf of all Defendants to raise two issues in advance of the pre-motion conference scheduled for January 27, 2015.

First, the parties have agreed, subject to the Court's permission, to a 30-day extension of the time within which Defendants shall (i) answer the Complaint and (ii) serve initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A). Absent that extension, Defendants' answers and initial disclosures would be due this Friday, January 29, 2016. Defendants have not sought any prior adjournment of these dates, and the adjournment should have no impact on the remaining schedule for this case as previously set by the court.

Second, as noted in Defendants' January 11, 2016 letter to the Court (Dkt. 50), Defendants do not intend at this time to file motions to dismiss the Complaint in this action. As we understood this week's pre-motion conference to be intended to address such motions, Defendants request an adjournment of the conference. We have conferred with counsel for the Securities and Exchange Commission, and are authorized to represent that the SEC has no objection to such an adjournment. Of course, if the Court wishes to proceed with the conference, counsel will be available to appear.

If the Court has any questions with regard to this matter, we are available at the Court's convenience.

Respectfully submitted,



Brett D. Jaffe

January 26, 2016

Page 2

cc: All Counsel via ECF

Respectfully, the conference
will proceed as planned.

The 30-day extension
request will be discussed
then.

SO ORDERED:

Date: 1/26/16

Richard M. Berman

Richard M. Berman, U.S.D.J.